

State of South Dakota

EIGHTIETH SESSION LEGISLATIVE ASSEMBLY, 2005

844L0548

HOUSE BILL NO. 1174

Introduced by: Representatives Olson (Ryan), Buckingham, Haverly, and McCoy and
Senators Duenwald, Abdallah, Broderick, Duniphan, and McCracken

1 FOR AN ACT ENTITLED, An Act to prohibit the endangerment of any child by means of
2 reckless driving or driving under the influence and to provide penalties therefor.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 32-23 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No person may operate any motor vehicle either while driving under the influence or while
7 driving recklessly, if, by so doing, the driver's conduct endangers the life of any child under the
8 age of thirteen in the driver's motor vehicle.

9 A violation of this section is a separate Class 2 misdemeanor.

10 Section 2. That chapter 32-20A be amended by adding thereto a NEW SECTION to read
11 as follows:

12 No person may operate any snowmobile while driving under the influence or while driving
13 recklessly, if, by so doing, the driver's conduct endangers the life of any child under the age of
14 thirteen either on the driver's snowmobile or being pulled or towed by the driver's snowmobile.

15 A violation of this section is a separate Class 2 misdemeanor.



1 Section 3. That chapter 42-8 be amended by adding thereto a NEW SECTION to read as
2 follows:

3 No person may operate any boat or personal watercraft either while driving under the
4 influence or while driving recklessly, if, by so doing, the driver's conduct endangers the life of
5 any child under the age of thirteen either in or on the driver's boat or personal watercraft or
6 being pulled or towed by the driver's boat or personal watercraft.

7 A violation of this section is a separate Class 2 misdemeanor.